SUPREME COURT OF THE UNITED STATES.

No. 148.—October Term, 1920.

The United States of America, Plaintiff in Error, *vs.* Margie L. Highsmith.	In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

[February 28, 1921.]

Mr. Justice Day delivered the opinion of the Court.

This case is like No. 147 just decided, and was argued and submitted at the same time.

In this instance the Government and the landowner appealed from the award of the Commissioners, and the case was tried to a jury. Jurors were instructed that the allowance of interest was a matter of law, and in a form of verdict given to them, interest at 6% was to be added from April 19, 1912, the date of appropriation.

It appears that by agreement a separate order requiring the deposit of interest was entered in order to allow a writ of error upon that point, and in connection with the above form of verdict the jurors were instructed to assess compensation as of the value of the land on April 19, 1912, and not to add interest from that time to the date of the verdict. Afterwards a final judgment was entered in the District Court requiring a deposit of the amount of the verdict, and a separate order was made directing payment of interest from April 19, 1912. A writ of error was prosecuted from the Circuit Court of Appeals where the judgment of the District Court was affirmed. 257 Fed. 401.

The Circuit Court of Appeals recited the facts of the case, and held that it was ruled by *United States* v. *Rogers et al.*, No. 147, just decided. We agree with this conclusion, and the judgment of the Circuit Court of Appeals is

Affirmed.